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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,912	01/29/2002	Yutaka Iyoki	P21952	3713

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EXAMINER

PATEL, CHIRAG R

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/057,912

Applicant(s)

IYOKI, YUTAKA

Examiner

Chirag R. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection. Examiner has acknowledged and considered the applicant's information disclosure statements. Claims 1-16 have been cancelled by the applicant. A discussion of the amended claims 17-26 is presented below.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 21, 25 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 21 and 25, it is unclear to the meaning and metes and bounds of "transmit, to the scanner apparatus, a search packet, the search packet being utilized to search for a scanner apparatus"

As per claim 26, it is unclear to the meaning and metes and bounds of "receiving, at the scanner apparatus from the terminal apparatus, a search packet, the search packet being utilized to search for a scanner apparatus"

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17, 21, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy et al. (US 2002/0062366) in view of Itoh (US 2001/0021037)

As per claims 17, 21, 25, and 26, Roy et al. discloses a scanner apparatus configured to scan image data, comprising.

an interface configured to be connected to a terminal apparatus via a network;
and a controller configured to receive, from the terminal apparatus, a search packet, the search packet being utilized to search for a scanner apparatus connectable to the terminal apparatus; ([0023])
transmit, to the terminal apparatus, a response to the search packet, ([0042], Therefore, the device discovery task 10 locks a semaphore 140, and then sends the HTML packet with the generated table of located device information to the HTTP client 15, Figure 1 HTML list of devices)

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Roy et al. fails to disclose receiving IP address from the terminal apparatus, and transmitting the scanned image to the terminal apparatus based on the scanned image data. Itoh discloses:

receive, from the terminal apparatus, terminal information, the terminal information including an IP address of the terminal apparatus, after the response to the search packet is transmitted to the terminal apparatus; and ([0106])

transmit, to the terminal apparatus, the scanned image data, based on the IP address of the terminal apparatus included in the received terminal information. ([0114])

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to receive IP address from the terminal apparatus, and transmit the scanned image to the terminal apparatus based on the scanned image data based upon the IP address the disclosure of Roy et al. The motivation for doing do would have been to directly transmitting an image data signal from a scanner device to a PC without using a server apparatus, such as, a mail server. ([0015])

Claims 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy et al. (US 2002/0062366) / Itoh (US 2001/0021037) in view of Kumpf et al. (US 6,839,755).

As per claims 18 and 22, Roy et al. / Itoh discloses the scanner apparatus according to claim 17, and Roy et al. discloses the, wherein the search packet includes

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identification information, the identification information identifying the terminal apparatus, and the controller transmits, to the terminal apparatus, the response to the search packet ([0023], [0042]) Roy et al. fails to disclose transmit response to terminal apparatus when the identification information of the search packet matches identification information of the scanner apparatus. Kumpf et al. discloses transmit response to terminal apparatus when the identification information of the search packet matches identification information of the scanner apparatus. (Col 4 lines 47-63) At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to transmit response to terminal apparatus when the identification information of the search packet matches identification information of the scanner apparatus in the disclosure of Roy et al. The motivation for doing do would have been to determine if a certain scan management information base (MIB) object exists on the server and to remove servers 10 that do not support scanning. (Col 4 lines 35-46)

Claims 19-20, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roy et al. (US 2002/0062366) / Itoh (US 2001/0021037) in view of Uhler et al. (US 2001/0021037).

As per claims 19-20 and 23-24, Roy et al. / Itoh discloses the scanner apparatus according to claim 17. Roy et al. discloses memory configured to store data ([0024]). Roy et al. fails to disclose input device configured to input information and for the terminal information to include a password and username. Uhler et al. discloses further

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comprising a memory configured to store data and an input device configured to input information, wherein the terminal information includes a password and username associated with the IP address of the terminal apparatus, the controller stores the IP address of the terminal apparatus and the password and username associated with the IP address of the terminal apparatus in the memory, the controller obtains, from the memory, the IP address of the terminal apparatus associated with the password and username when a user of the scanner apparatus inputs the password via the input device, and the controller transmits, to the terminal IP address of the terminal apparatus, the scanned image data, based on the obtained apparatus. ([0062])

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to disclose input device configured to input information and for the terminal information to include a password and username in the disclosure of Roy et al. The motivation for doing so would have been to authenticate and identify the authorization of the client ([0062])

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are disclosed in the Notices of References cited page and teach numerous ways of an image information transmitting system, a scanner apparatus, a user terminal apparatus, and a method for registering user terminal information to the scanner apparatus. A close review of these references is recommended.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

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for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER